UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

VOLKSWAGEN GROUP OF AMERICA, INC. Employer/Petitioner

and Case 10-RM-121704

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS AMERICA—UAW Union

and

MICHAEL BURTON, et al. Intervenor

and

SOUTHERN MOMENTUM, TRAVIS FINNELL AND SEAN MOSS, et al.
Intervenor

ORDER

On March 10, 2014, the Acting Regional Director, on the motions of seven of the Employer/Petitioner's employees and Southern Momentum, a corporation of which one of the employees was a director, granted the movants permission to participate in the hearing on the Union's objections to conduct affecting the results of the election, for the limited purposes of (1) offering evidence in opposition to the objections, (2) cross-examining witnesses, and (3) filing briefs. Some of the objections specifically named Southern Momentum and at least one of the employees, and it appeared that evidence or argument in connection with those objections would otherwise be presented only by the Union. The Acting

Regional Director's order stated that it was "non-precedential" and based on "the unique circumstances of this case."

The Union has requested leave to file a special appeal from the Acting Regional Director's order. Under the unique circumstances of this case, we do not think that the Acting Regional Director abused her discretion in permitting limited participation in the objections hearing. Accordingly, leave to appeal is granted and the appeal is denied on the merits.

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, III MEMBER

Dated, Washington, D.C., April 16, 2014.